

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Bruce Tutvedt, on March 17, 2011 at 8:00 AM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Bruce Tutvedt, Chair (R)
Sen. Bob Lake, Vice Chair (R)
Sen. Gary Branae (D)
Sen. Ron Erickson (D)
Sen. Jeff Essmann (R)
Sen. Kim Gillan (D)
Sen. Christine Kaufmann (D)
Sen. Kendall Van Dyk (D)
Sen. Art Wittich (R)

Members Excused:

Sen. Ron Arthun (R)
Sen. Jim Peterson (R)
Sen. Chas Vincent (R)

Members Absent: None

Staff Present:

Lee Heiman, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SJ 17, 3/12/2011
SB 406, 3/12/2011

HEARING ON SB 406**Opening Statement by Sponsor:**

00:00:46 Sen. Jeff Essmann (R), SD 28, opened the hearing on SB 406, Central assessment mediation instead of dispute review or tax appeal board.

Proponents' Testimony:

00:05:52 Tom Ebzery, Attorney, Billings, representing Avista Corporation, Portland General Electric, Puget Sound Energy, and PacifiCorp
00:08:42 Nancy Schlepp, representing Montana Taxpayers Association (MTA)
00:09:29 Haley Beaudry, representing Enervest Income Resources
00:10:48 Aimee Grmoljez, representing Verizon Wireless
00:11:59 Dave Galt, Executive Director, Montana Petroleum Association (MPA)
00:12:26 Dave Gibson, representing Qwest Communications
00:13:38 Mark Baker, representing Bresnan Communications and AT&T Corporation

Opponents' Testimony:

00:15:15 Gene Walborn, Administrator, Business and Income Taxes Division, Department of Revenue (DOR)

EXHIBIT(tas60a01)

00:18:03 Chairman Tutvedt
00:18:30 Dan Bucks, Director, DOR
00:20:23 Chairman Tutvedt
00:21:01 Gene Walborn, DOR

EXHIBIT(tas60a02)

00:24:49 C. A. Daw, Chief Legal Counsel, DOR

EXHIBIT(tas60a03)

00:31:02 Dan Bucks

00:32:35 Senator Arthun arrived at committee hearing

Informational Testimony:

00:46:17 Michael Green, Attorney, Crowley Fleck, PLLP, Helena

Questions from Committee Members and Responses:

00:46:58 Sen. Wittich
00:47:34 Sen. Essmann
00:47:56 Sen. Wittich
00:49:05 Sen. Essmann
00:49:44 Sen. Wittich
00:51:59 Dan Bucks
00:56:33 Sen. Wittich
00:58:05 Dan Bucks
01:00:50 Sen. Lake
01:01:20 Sen. Essmann

01:03:39 Sen. Lake
01:04:41 Sen. Essmann
01:05:13 Sen. Lake
01:06:08 Michael Green, Crowley Fleck
01:08:19 Sen. Gillan
01:09:06 Sen. Essmann
01:10:13 Michael Green
01:14:35 Sen. Gillan
01:14:57 Michael Green
01:15:41 Sen. Van Dyk
01:16:13 Dan Bucks
01:21:12 Sen. Erickson
01:22:45 Dan Bucks
01:24:32 Sen. Erickson
01:24:56 C. A. Daw, DOR
01:26:54 Sen. Erickson
01:27:08 C. A. Daw
01:27:21 Sen. Gillan
01:28:10 Michael Green
01:31:13 Sen. Gillan
01:32:00 Michael Green
01:33:27 Sen. Gillan
01:33:35 Dan Bucks
01:34:10 Sen. Gillan
01:34:28 Dan Bucks
01:37:59 Sen. Kaufmann
01:38:19 Michael Green
01:38:49 Sen. Kaufmann
01:39:29 Dan Bucks
01:40:59 Sen. Kaufmann
01:41:14 Sen. Essmann
01:41:36 Chairman Tutvedt
01:42:08 Michael Green
01:42:58 Gene Walborn
01:43:48 Chairman Tutvedt
01:44:20 Sen. Essmann
01:44:58 Chairman Tutvedt
01:45:15 Sen. Essmann
01:45:47 Chairman Tutvedt
01:46:22 Dan Bucks
01:52:21 Chairman Tutvedt
01:53:00 Tom Ebzery, Attorney
01:54:04 Sen. Van Dyk
01:54:41 Sen. Essmann
01:55:49 Chairman Tutvedt

Closing by Sponsor:

01:56:02 Sen. Jeff Essmann

02:00:22 Recess
02:12:54 Reconvene ~ Vice Chair Lake assumed duties of Chair

HEARING ON SJ 17

Opening Statement by Sponsor:

02:13:03 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SJ 17, Interim study of valuing centrally assessed property for tax purposes.

Proponents' Testimony:

02:15:28 Michael Green, Attorney, Crowley Fleck, PLLP, also speaking for Montana Taxpayers Association (MTA)

02:17:46 Tom Ebzery, Attorney, representing Avista Corporation, Portland General Electric, Puget Sound Energy, and PacifiCorp

02:19:17 David Gibson, representing Qwest Communications

02:20:17 Aimee Grmoljez, representing Verizon Wireless

[EXHIBIT\(tas60a04\)](#)

02:23:12 Nancy Schlepp, representing Montana Taxpayers Association (MTA) also speaking for Mark Baker, on behalf of AT&T and Bresnan Communications

Opponents' Testimony: None

Informational Testimony:

02:23:50 Dan Bucks, Director, Department of Revenue (DOR)

[EXHIBIT\(tas60a05\)](#)

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:36:12 Sen. Bruce Tutvedt

Committee Business:

02:37:00 Chairman Tutvedt

02:37:40 Sen. Erickson

02:37:58 Lee Heiman, Legislative Service Division (LSD)

02:38:12 Sen. Lake

02:38:26 Sen. Erickson

ADJOURNMENT

Adjournment: 10:45 A.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT([tas60aad.pdf](#))